

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, *ex rel.*  
RENEE IFRAH,

v.

ORDER  
05-CV-237

COMMUNITY HEALTH CENTER OF  
BUFFALO, INC., et al.,

Defendants.

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This case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(A). On March 7, 2011, defendants filed a Suggestion of Death Upon the Record. On June 17, 2011, Magistrate Judge Foschio filed a Report and Recommendation, recommending that the action against defendant James C. Cook should be dismissed.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, the action against defendant James C. Cook is dismissed. The Clerk of Court is directed to delete this defendant from the caption of the action. This case is referred back to Magistrate Judge Foschio for further proceedings.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: July 8, 2011